

Presidential Documents

Title 3—THE PRESIDENT

Executive Order 10901

AMENDMENT OF EXECUTIVE ORDER NO. 10501, RELATING TO SAFEGUARDING OFFICIAL INFORMATION IN THE INTERESTS OF THE DEFENSE OF THE UNITED STATES

By virtue of the authority vested in me by the Constitution and statutes of the United States, and as President of the United States, and deeming such action necessary in the best interest of the national security, it is ordered as follows:

SECTION 1. Section 2 of Executive Order No. 10501 of November 5, 1953, is amended to read as follows:

"Sec. 2. Limitation of authority to classify. The authority to classify defense information or material under this order shall be limited in the departments, agencies, and other units of the executive branch as hereinafter specified.

"(a) In the following departments, agencies, and Governmental units, having primary responsibility for matters pertaining to national defense, the authority for original classification of information or material under this order may be exercised by the head of the department, agency, or Governmental unit concerned or by such responsible officers or employees as he, or his representative, may designate for that purpose. The delegation of such authority to classify shall be limited as severely as is consistent with the orderly and expeditious transaction of Government business.

The White House Office
President's Science Advisory Committee
Bureau of the Budget
Council of Economic Advisers
National Security Council
Operations Coordinating Board
Central Intelligence Agency
Office of Civil and Defense Mobilization
Department of State
International Cooperation Administration
Department of the Treasury
Department of Defense
Department of the Army
Department of the Navy
Department of the Air Force
Department of Justice
Department of Commerce
Department of Labor
Atomic Energy Commission
Canal Zone Government
Council on Foreign Economic Policy
Development Loan Fund
Federal Aviation Agency
Federal Communications Commission
Federal Radiation Council
General Services Administration
Interstate Commerce Commission
National Aeronautics and Space Administration
National Aeronautics and Space Council
President's Board of Consultants on Foreign Intelligence Activities

3 CFR, 1949-1953 Comp., p. 979; 18 P.R. 7049.

United States Civil Service Commission
United States Information Agency

"(b) In the following departments, agencies, and Governmental units, having partial but not primary responsibility for matters pertaining to national defense, the authority for original classification of information or material under this order shall be exercised only by the head of the department, agency, or Governmental unit without delegation:

Post Office Department
Department of the Interior
Department of Agriculture
Department of Health, Education and Welfare
Civil Aeronautics Board
Federal Power Commission
Government Patents Board
National Science Foundation
Panama Canal Company
Renegotiation Board
Small Business Administration
Subversive Activities Control Board
Tennessee Valley Authority

"(c) Any agency or unit of the executive branch not named herein, and any such agency or unit which may be established hereafter, shall be deemed not to have authority for original classification of information or material under this order, except as such authority may be specifically conferred upon any such agency or unit hereafter."

SEC. 2. My memoranda of November 5, 1953, and May 7, 1959 (24 P.R. 3717), and my memorandum of March 9, 1960 (25 P.R. 2073), are hereby revoked.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 9, 1961.

[FR Doc. 61-279; Filed Jan. 11, 1961; 9:53 a.m.]

Executive Order 10902

PROVIDING FOR THE ISSUANCE OF EMERGENCY PREPAREDNESS ORDERS BY THE DIRECTOR OF THE OFFICE OF CIVIL AND DEFENSE MOBILIZATION

By virtue of the authority vested in me by the provisions of Reorganization Plan No. 1 of 1958 (72 Stat. 1799), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 *et seq.*), and section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. In connection with carrying out the functions delegated or otherwise assigned to him by the provisions of Executive Order No. 10773 of July 1, 1958, as amended by Executive Order No. 10782 of September 6, 1958, or by the provisions of other orders thereby amended, the Director of the Office of Civil and Defense Mobilization shall establish a series of civil-defense and defense-mobilization planning assignments

which (1) shall be known as "Emergency Preparedness Orders," (2) shall, so far as practicable, be of uniform character, and (3) shall be designed to provide for the development of civil-defense and defense-mobilization plans and programs by the several departments and agencies of the executive branch of the Government to meet all conditions of national emergency, including attack upon the United States.

SEC. 2. The head of each department and agency, assigned civil-defense and defense-mobilization functions by the Director of the Office of Civil and Defense Mobilization in consonance with the provisions of section 1 of this order, shall develop the plans and programs there referred to under the policy direction and central program control of the Director of the Office of Civil and Defense Mobilization.

SEC. 3. Nothing in this order or in the National Plan for Civil Defense and Defense Mobilization shall be construed as conferring authority to put into effect any plan, procedure, policy, program, or other course of action prepared or developed pursuant to this order or the National Plan.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 9, 1961

[FR Doc. 61-280; Filed Jan. 11, 1961; 9:53 a.m.]

Executive Order 10903

DELEGATING AUTHORITY OF THE PRESIDENT WITH RESPECT TO REGULATIONS RELATING TO CERTAIN ALLOWANCES AND BENEFITS TO GOVERNMENT PERSONNEL ON OVERSEAS DUTY

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, section 303 of the Foreign Service Act of 1946 (22 U.S.C. 843), and various provisions of law cited in the body of this order, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Secretary of State is hereby designated and empowered to perform the following-described functions without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 111(3) of the Overseas Differentials and Allowances Act (74 Stat. 792) to prescribe regulations defining the term "employee."

(b) The authority vested in the President by Title II of the Overseas Differentials and Allowances Act to prescribe regulations, including the regulations referred to in sections 202, 203 and 221(4)(B) of that Act (governing, respectively, (1) certain waivers of re-

and (2) the payment of allowances and differentials authorized by Title II of the Act and certain other matters, and (3) travel expenses for dependents of certain employees).

(c) The authority vested in the President by section 22 of the Administrative Expenses Act of 1946 (added by section 311(a) of the Overseas Differentials and Allowances Act), (1) to prescribe regulations governing the allotment to posts in foreign countries, for the purpose stated in that section, of funds available to the departments for administrative expenses, and (2) to designate senior officials of this Government in foreign countries.

(d) The authority vested in the President by section 901 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1131), to prescribe regulations governing allowances in order to provide for the proper representation of the United States by officers or employees of the Foreign Service.

(e) The authority vested in the President by other provisions of law (including section 235(a)(2) of title 38 of the United States Code) to prescribe regulations governing representation allowances similar to those authorized by section 901 of the Foreign Service Act of 1946, as amended.

(f) The authority vested in the President by section 853 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1093), to establish from time to time a list of places which by reason of climatic or other extreme conditions are to be classed as unhealthful posts, and to cancel the designation of any place as unhealthful. Each place designated as unhealthful by the Secretary hereunder shall be so designated as of January 1, 1942, or as of a later date to be fixed by the Secretary.

Sec. 2. Executive Order No. 10530 of May 10, 1954, headed "Providing for the performance of certain functions vested in or subject to the approval of the President," as amended, is hereby further amended as follows:

(1) By adding at the end of section 1 the following new subsections (s), (t), and (u):

"(s) The authority vested in the President by section 1(e) of the Administrative Expenses Act of 1946 (added by section 301(c) of the Overseas Differentials and Allowances Act), and by section 301(d) of the Overseas Differentials and Allowances Act, to prescribe the regulations (relating to storage expenses and other matters) provided for in those sections.

"(t) The authority vested in the President by section 1(f) of the Administrative Expenses Act of 1946 (added by section 321 of the Overseas Differentials and Allowances Act) to prescribe regu-

lations governing transportation of the privately owned motor vehicle of an employee assigned to a post of duty outside the continental United States on other than temporary duty orders.

"(u) That part of the functions vested in the President by section 7(a) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 216; 5 U.S.C. 2355(a)) which consists of authority to prescribe regulations relating to storage (including packing, drayage, unpacking, and transportation to and from storage) of household effects and personal possessions."

(2) By adding at the end of section 2 the following new subsection (e):

"(e) The authority vested in the President by section 203(f) of the Annual and Sick Leave Act of 1951, as amended (65 Stat. 680; 74 Stat. 799-800; 5 U.S.C. 2062(f)), to prescribe regulations governing the granting of leave of absence as therein described."

Sec. 3. That portion of section 2 of Executive Order No. 10624 of July 28, 1955, which precedes the proviso thereof, is hereby amended to read as follows:

"Sec. 2. In addition to rules and regulations, pertaining to allowances and benefits, otherwise applicable to personnel assigned abroad under Title VI of the Act of August 28, 1954, there shall be applicable to the personnel rules and regulations prescribed by the Secretary of State in pursuance of (1) so much of the authority vested in the President by Title II of the Overseas Differentials and Allowances Act, or by any amendment thereof, as relates to quarters allowances or cost-of-living allowances, and (2) so much of the authority vested in the President and the Secretary of State by Title IX of the Foreign Service Act of 1946, or by any amendment thereof, as relates to allowances and benefits under the said Title IX:"

Sec. 4. (a) Section 2 of Executive Order No. 10853 of November 27, 1959, is hereby amended to read as follows:

"Sec. 2. The Secretary of State is hereby authorized and directed to exercise the following-described statutory powers of the President:

"(a) That part of the functions vested in the President by section 7(a) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 216; 5 U.S.C. 2355(a)) which consists of authority to prescribe regulations relating to quarters and quarters allowance

"(b) The authority vested in the President by section 8(a)(1) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 216; 5 U.S.C. 2355(a)(1)) to prescribe regulations relating to cost-of-living allowances.

"(c) The authority vested in the President by section 235(a) of title 38 of the United States Code to prescribe rules and regulations with respect to allowances and benefits similar to those provided for in section 941 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1156) "

(b) The reference in section 1 of Executive Order No. 10853 of November 27, 1959, to the regulations contained in Executive Order No. 10000 of September 16, 1948, shall be deemed to include a reference to the corresponding regulations prescribed in pursuance of the provisions of this order.

Sec. 5. (a) The following-described Executive order and parts thereof are hereby revoked, subject to the provisions of section 5(b) of this order:

1. Parts I, III, IV, and V of Executive Order No. 10000 of September 16, 1948.
2. Executive Order No. 10011 of October 22, 1948.
3. Executive Order No. 10065 of October 28, 1949.
4. Executive Order No. 10100 of January 28, 1950.
5. Executive Order No. 10187 of December 4, 1950.
6. Executive Order No. 10261 of June 27, 1951.
7. Executive Order No. 10313 of December 14, 1951.
8. Executive Order No. 10301 of September 3, 1952.
9. Executive Order No. 10500 of December 1, 1953.
10. Executive Order No. 10623 of July 23, 1955.
11. Section 1 and, to the extent that it pertains to Executive Order No. 10000, section 2 of Executive Order No. 10636 of September 16, 1948.

(b) Existing rules and regulations prescribed in or pursuant to the Executive order provisions revoked by section 5(a) of this order, other existing rules and regulations pertaining to allowances, differentials, and other benefits corresponding to those authorized by the provisions of law referred to in this order, and actions heretofore taken in pursuance of any thereof, shall remain in effect until hereafter superseded in pursuance of the provisions of this order.

Sec. 6. This order, and such of the regulations prescribed by the Secretary of State, the Director of the Bureau of the Budget, and the Civil Service Commission thereunder as the Secretary, Director, and Commission shall, respectively, determine, shall be published in the "FEDERAL REGISTER."

DWIGHT D. EISENHOWER

THE WHITE HOUSE,

January 9, 1961.

[P.R. Doc. 61-201; Filed, Jan. 11, 1961; 9:58 a.m.]